

REMARKS

Applicants are amending independent Claims 60, 65, 71, 75 and 76 to more clearly claim the structure of the claimed method of the present application. Applicants are also amending dependent Claims 62-64, 67-70, 73-74, 78-79 and 81 so that they are consistent with the independent claims and to correct informalities therein.

Applicants will address the Examiner's rejections in the order in which they appear in the Final Rejection.

Claim Rejections - 35 USC §103

Claims 65, 67, 69 and 75

In the Final Rejection, the Examiner rejects Claims 65, 67, 69 and 75 under 35 USC §103(a) as being unpatentable over Yamazaki (US 6,239,470) in view of Yukasaka (US 6,359,606), further in view of Kuribayashi et al. (US 6,215,244). This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants have amended independent Claims 65 and 75 to recite that "the electroluminescence layer is in contact with an upper surface of the fifth insulating film" (Claim 65; the "fourth insulating film" in Claim 75). This feature is supported by, for example, Fig. 1 of the present application.

Applicants respectfully submit that this feature is not disclosed or suggested by the cited references. Accordingly, independent Claims 65 and 75, and those claims dependent thereon, are patentable over the cited references, and it is respectfully requested that this rejection be withdrawn.

Claims 68 and 70

The Examiner also rejects Claims 68 and 70 under 35 USC §103(a) as being unpatentable over Yamazaki-Yudsaka-Kuribayashi and further in view of Kikukawa et al. (US 6,329,036). This rejection is also respectfully traversed.

Each of these rejected claims is a dependent claim. Accordingly, these claims are allowable over the cited references for at least the reasons discussed above for the independent claims. Therefore, it is respectfully requested that this rejection be withdrawn.

Claims 60, 62-64, 71, 73 and 74

The Examiner also rejects Claims 60, 62-64, 71-73 and 74 under 35 USC §103(a) as being unpatentable over Ohtani et al. (US 6,303,963) in view of Yamazaki (US 6,239,470). This rejection is also respectfully traversed.

In particular, it appears that the Examiner is using Ohtani '963 as a 35 USC §102(e) reference. However, 35 USC §103(c) provides that subject matter developed by another person (i.e. Ohtani et al.) which qualifies as prior art only under section 102(e)–(g) shall not preclude patentability where the subject matter and claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person. In this case, both Ohtani '963 and the claimed invention of the present application were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person, i.e. Semiconductor Energy Laboratory, Co., Ltd.

Hence, Ohtani '963 cannot preclude the claimed invention of the present application from patentability under §103(c), and it is respectfully requested that the §103(a) rejection based on Ohtani '963 be withdrawn.

Claims 76 and 79-81

The Examiner also rejects Claims 76 and 79-81 under 35 USC §103(a) as being unpatentable over Ohtani-Yamazaki and further in view of Yudasaka. This rejection is also respectfully traversed.

As explained above, Ohtani '963 cannot preclude the claimed invention of the present application from patentability under §103(c). Therefore, it is respectfully requested that the §103(a) rejection based on Ohtani '963 be withdrawn.

Claim 78

The Examiner also rejects Claim 78 under 35 USC §103(a) as being unpatentable over Ohtani-Yamazaki-Yudasaka and further in view of Tang et al. (US 5,684,365). This rejection is also respectfully traversed.

As explained above, Ohtani '963 cannot preclude the claimed invention of the present application from patentability under §103(c). Therefore, it is respectfully requested that the §103(a) rejection based on Ohtani '963 be withdrawn.

New Claims

Applicants are adding new dependent Claims 82-90. These claims are allowable for at least the reasons discussed above for the independent claims. Accordingly, it is respectfully requested that these claims be entered and allowed.

If any fee should be due for these claims, please charge our deposit account 50/1039.

Conclusion

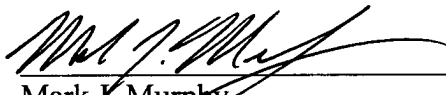
It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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